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Box DAC
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On 9/30/02

TOWNSEND and TOWNSEND and CREW LLP

By: Kristi Cole

#5
Docket No.: 020048-002560US

~~DAC \$ (S)~~
PATENT

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OCT 8 2002

OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

McMillan et al.

Patent No.:

Issued:

Application No.: 10/006,904

Filed: November 7, 2001

For: DEVICE FOR LYSING CELLS,
SPORES, OR MICROORGANISMS

Examiner: Unassigned

Art Unit: 1744

**COMMUNICATION UNDER 37
C.F.R. §1.28(c)**

Box DAC
Assistant Commissioner for Patents
Washington, D.C. 20231

COMMUNICATION UNDER 37 C.F.R. §1.28(c)

Sir:

Applicants respectfully submit under 37 C.F.R. §1.28(c) authorization to pay supplementary fees and consideration of the remarks set forth herein. The following documents are enclosed herewith:

- Postcard
- this paper is submitted in duplicate

10/00/2002 RUEDEX51 00000020 201430 10006904
01 FEB 101 370.00 CH 370.00 OP

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01 FEB 101 370.00 CH 370.00 OP

REMARKS

Please change the status of the above-identified application, U.S. Serial Number 10/006,904, filed November 7, 2001 from small entity status to large entity status. MPEP 509.03, 7th ed., July, 1998.

Applicants no longer claim the benefit of small entity status for the above-identified patent and wish to submit supplemental large entity fee(s) as follows.

The supplemental fees to be paid are set forth below:

Paper	Date	Fee Paid	Current Fee	Difference
Filing Fee Due	11/07/2001	\$370.00	\$740.00	\$370.00
Total		\$370.00	\$740.00	\$370.00

Any error in originally paying the fees at the small entity rate was inadvertent.

The Assistant Commissioner for Patents is hereby authorized to charge the fee of \$370.00 to Deposit Account No. 20-1430. Please charge any additional fees, or refund any overpayment, to Deposit Account No. 20-1430.

If additional issues need to be addressed, please telephone the undersigned at 650-752-2469.

Respectfully submitted,



William Schmonsees
Reg. No. 31,796.

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PA 3253251 v1



UNITED STATES PATENT AND TRADEMARK OFFICE
Please stamp your date of receipt of the following documents and return to addressee:

First Class Mail Date: September 30, 2002
File No.: 020048-002560US
Application No.: 10/006,904
Attorney: WS/klc

1. Communication Under 37 C.F.R. §1.28(c) (2 pages) in duplicate.

PA 3253657 v1